

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TERESA VANOVER,)
)
Petitioner,)
)
v.) 1:21CV113
)
STATE OF NORTH CAROLINA,)
)
Respondent.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on January 14, 2022, was served on the parties in this action. (ECF Nos. 24, 25.) Plaintiff filed Objections to the Magistrate Judge's Recommendation, (ECF No. 27), as well as two letters addressed to the Court, (ECF Nos. 26, 28), and a supplemental filing to her Objections, (ECF No. 29), all of which reiterate the allegations in her Petition, but do not offer arguments refuting the untimeliness of the Petition, (see ECF Nos. 26-29). The Court has appropriately reviewed the Magistrate Judge's Recommendation and has made a *de novo* determination in accord with the Magistrate Judge's Recommendation. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Respondent's Motion to Dismiss, (ECF No. 12), is GRANTED, and that the Petition, (ECF No. 2), and Amended Petition, (ECF No. 5), are DISMISSED.

A Judgment dismissing this action will be entered contemporaneously with this Order.

Finding neither a substantial issue for appeal concerning the denial of a constitutional right affecting the conviction nor a debatable procedural ruling, a certificate of appealability is not issued.

This, the 7th day of March 2022.

/s/ Loretta C. Biggs
United States District Judge